

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office OCT 9 1970

Returned to applicant for correction.

Corrected application filed Map filed OCT 9 1970 under 4117

The applicant Fernando and Jess Goicoechea % Chilton Engineering  
421 Court  
of Elko, County of

State of Nevada 89801, hereby makes application for permission to change the

Point of Diversion, Manner and Place of Use

of water heretofore appropriated under permit #4117

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Eyroz Creek AKA Beaver Creek  
(Name of stream, lake or other source.)
2. The amount of water to be changed 1 c.f.s.  
(Second feet, acre feet.)
3. The water to be used for Irrigation  
(If for stock state number and kind of animals.)
4. The water heretofore used for Irrigation and Domestic  
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 28, T43N, R56E, MDM  
at a point from which the S $\frac{1}{4}$  corner of Section 27 bears S 38° 17'  
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)  
E 4830 feet
6. The existing point of diversion is located within SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 28, T43N, R56E, MDM.  
(No specific tie to section corner is possible since original  
(If point of diversion is not changed, do not answer.)  
tie was typographical error listing SE $\frac{1}{4}$  SE $\frac{1}{4}$  instead of SE $\frac{1}{4}$  NE $\frac{1}{4}$ )
7. Proposed place of use NE $\frac{1}{4}$  SW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Lot 4 Section 34, Lot 1, (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ),  
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)  
Section 33, T.43N., R.56E; Lot 4 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ ), SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 3;  
and Lot 1 (NE $\frac{1}{4}$  NE $\frac{1}{4}$ ), Section 4, T.42N, R.56E, MDM 53.3 acres
8. Existing place of use NE $\frac{1}{4}$  SW $\frac{1}{4}$ , Lot 3 and 4, Section 34, T.43N., R.56E., and  
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)  
Lot 4, SW $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 3, and Lot 1, SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 4, T.  
42N., R56E., MDM 318.97 acres
9. Use will be from April 1 to October 1 of each year.  
(Month) (Month)
10. Use has been from April 1 to October 1 of each year.  
(Month) (Month)

11. Description of proposed works.

Dam at Point of Diversion and ditch, together with laterals conveying  
(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)  
water upon each legal subdivision  
(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works \$300.00

13. Estimated time required to construct works completed

14. Remarks Applicant's Address: Jess Goicoechea, 579 2nd St., Elko, Nevada

This application to change the Point of Diversion is being filed to correct a typographical error made on Original Application which cited SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 28 instead of SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Sec. 28, T.43N., R.56E., MDM. Place of Use was necessary to cover ground being irrigated & not listed in Original Application. Change of Manner of Use is to clarify dates not specific in Original Application. Map filed herewith is also in support of Amended Proof of Beneficial Use for #4117.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion, place of use and manner of use of the waters of Eyroz Creek AKA Beaver Creek as heretofore granted under Permit 4117, is issued subject to the terms and conditions imposed in said Permit 4117 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second but not to exceed a seasonal duty of 4.0 acre feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before October 8, 1971

Proof of commencement of work shall be filed before November 8, 1971

Work must be prosecuted with reasonable diligence and be completed on or before October 8, 1972

Proof of completion of work shall be filed before November 8, 1972

Application of water to beneficial use shall be made on or before October 8, 1974

Proof of the application of water to beneficial use shall be filed on or before November 8, 1974

Map in support of proof of beneficial use shall be filed on or before \_\_\_\_\_

Commencement of work filed OCT 13 1971

Completion of work filed OCT 13 1971

Proof of beneficial use filed OCT 13 1971

Cultural map filed 10-7-70 under 4117

Certificate No. 7709 Issued 2-10-72

Recorded 2-15-72 Bk. 159 Page 345

IN TESTIMONY WHEREOF, I, Roland D. Westergard,  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 8th day of April

A.D. 19 71

State Engineer